

FILED

MAR 01 2022

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

JOHN DOE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

+ DOES 1-20
Defendant.

Case No. 22-cv-01107-TSH

**CONSENT OR DECLINATION TO
MAGISTRATE JUDGE JURISDICTION**

INSTRUCTIONS: Please indicate below by checking one of the two boxes whether you (if you are the party) or the party you represent (if you are an attorney in the case) choose(s) to consent or decline magistrate judge jurisdiction in this matter. Sign this form below your selection.

☒ **Consent** to Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment. I understand that appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

OR

☐ **Decline** Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case and I hereby request that this case be reassigned to a United States district judge.

DATE:

FEB. 28, 2022

NAME: SCOTT REBMOND
COUNSEL FOR: AKA JOHN DOE
(OR "PRO SE:")

Signature

AO 399 (01/07)

ice of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

JOHN DOE

Plaintiff

US + DOES 1-20

Defendant

Civil Action No. 22-CV-01107-TS

WAIVER OF THE SERVICE OF SUMMONS

To: UNITED STATES AND DOES 1-2
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from _____, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: _____

Signature of the attorney or unrepresented party_____
Printed name of party waiving service of summons_____
Printed name_____
Address_____
E-mail address_____
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Subject: WAIVER FOR SERVICE OF SUMMONS IN CASE # 22-cv-01107-TSH
From: Scott <scott@sr1.org>
Date: 2/28/22, 2:39 PM
To: "Lo, Michelle (USACAN)" <michelle.lo@usdoj.gov>
CC: "Hinds, Stephanie (USACAN)" <Stephanie.Hinds@usdoj.gov>
BCC: "Colthurst, Tom (USACAN)" <Tom.Colthurst@usdoj.gov>

Since we all know each other as 'Frenemies', we might as well save the citizens, and ourselves, some cash with the attached summons waiver.

Please fill it out and send it to the clerk of the court with a copy to me.

Scott

On 2/28/22 2:00 PM, Scott wrote:

We got the case filed in USDC-Northern District # 22-cv-01107-TSH and another one Filed in SF Superior Court and a third moving through FTCA in DC.

Judge Hixson wants me and someone from your side to set-up a meet-and-confer to discuss: initial disclosures, early settlement, ADR process selection and discovery plan. The judge wants this to have happened by 5.5.2022.

I am free now to meet. When is good for your side and what attorney will you put on this case. Attached is the Superior Court filing, which is very similar, to the Northern District Anti-Trust RICO.

Best.

Scott

—Attachments:—

WAIVER OF SERVICE OF SUMMONS Case # 22-cv-01107-TSH
.pdf

2.2 MB

210 S. Ellsworth Ave, #1275
San Mateo, CA 94401



RECEIVED

MAR 01 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

Office Of The Clerk
U.S. District Court - Northern District
450 Golden Gate Ave
San Francisco, CA 94102

Judge Hixson Case

94102-348999

